

# Application for Federal Assistance SF-424

## Hazard Mitigation Grant

OMB Number 4040-004

1. Type of Submission:  Construction  Non Construction
2. Date Submitted: 01/17/2017 Application Identifier: [REDACTED] (State Use)
3. Date Received by the State: [REDACTED] (State Use) State Application Identifier: [REDACTED] (State Use)
4. Date Received by Federal Agency: 01/17/2017 Federal Identifier: 74-6001969
5. Applicant Information:  
Legal Name: Fort Bend County  
Address: 307 Fort Bend City: Richmond State: Texas Zip: 77469  
Organizational Unit: Local Government Department and Division: Office of Emergency Management  
FIPS Code: [REDACTED] DUNS Code: 81497075
- Primary contact on matters involving this application:  
First Name: Doug Last Name: Barnes Email: douglas.barnes@fortbendcountytexas.gov  
Phone: 281-342-6185 Fax: 281-342-4798
6. Employer Identification Number/Tax Identification Number (EIN/TIN): 74-6001969
7. Type of Applicant: (See instructions for Application Types) County
8. Type of Application:  New  Continuation  Revision (enter appropriate revision letter)
9. Name of Federal Agency: FEMA/DHS
10. Catalog of Federal Domestic Assistance Number: 97-039  
Title (Name of Program): Hazard Mitigation Grant Program
11. Descriptive title of the applicant's project: Acquisitions of Flood Damaged Properties in the Floodway
12. Areas Affected by Project  
Cities: City of Simonton, City of Richmond, City of Rosenberg  
Counties: Fort Bend County Unincorporated
13. Proposed Start Date: Upon Approval Ending Date: 24 Months from Approval
14. Congressional Districts of: 22 Applicant: Local Government Project Location: Fort Bend County
15. Estimated Funding:  
Federal: \$7785517.89  
Applicant: \$2,595,172.63 Funding Source: homeowner If match is CDBG funds, this triggers Davis-Bacon on the whole project.  
Total: \$10,380,690.53 Typically, HMGP is exempt from Davis Bacon.
16. Is the Application Subject to Review by State Executive Order 12372 Process? (Intergovernmental Review of Federal Programs)  
 YES – This pre-application was made available to the State Executive Order 12372 process for review on date:  
NO  Program is not covered by E.O. 12372  
 Or Program has not been selected by State for Review
17. Is the Applicant Delinquent on any Federal Debt?  
 Yes – attach an explanation  No
18. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil or administrative penalties. (U.S. Code, Title 218, Section 1001)  \*\*I AGREE

Authorized Representative: Robert Hebert Title: Honorable Phone: 281-344-3994

Signature

Date: 01/10/2017

# Summary Sheet for Assurances and Certifications

U.S. DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY  
SUMMARY SHEET FOR ASSURANCES AND CERTIFICATIONS

O.M.B. No. 1660-0025


For FY 01/01/2017 CA FOR (Name of Recipient) Fort Bend County

This summary sheet includes Assurances and Certifications that must be read, signed and submitted as a part of the Application for Federal Assistance.

The applicant must check each item that they are certifying to:

Part I	<input checked="" type="checkbox"/>	FEMA Form 20-16A, Assurances-NonConstruction Programs
Part II	<input checked="" type="checkbox"/>	FEMA Form 20-16B, Assurances-Construction Programs
Part III	<input checked="" type="checkbox"/>	FEMA Form 20-16 C, Certification Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements
Part IV	<input type="checkbox"/>	SF LLL, Disclosure of Lobbying Activities (If applicable)

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with identified attached assurances and certifications.

Robert Hebert	Honorable County Judge
Typed Name of Authorized Representative	Title
	
Signature of Authorized Representative	Date Signed 01/10/2017

**NOTE:**

By signing the certification regarding debarment, suspension, and other responsibility matters for primary covered transaction, the applicant agrees that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by FEMA entering into this transaction.

The applicant further agrees by submitting this application that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the FEMA Regional Office entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (Refer to 44 CFR Part 17.)

**Paperwork Burden Disclosure Notice**

Public reporting burden for this form is estimated to average 1.7 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing, reviewing, and maintaining the data needed, and completing and submitting the form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, U.S. Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW, Washington DC 20472. You are not required to complete this form unless a valid OMB control number is displayed in the upper corner on this form.

Please do not send your completed form to the above address.

FEMA Form 20-16

# Federal Assurances for Non-Construction Programs

20-16A

**U.S DEPARTMENT OF HOMELAND SECURITY  
FEDERAL EMERGENCY MANAGEMENT AGENCY  
ASSURANCES-NONCONSTRUCTION PROGRAMS**

**O.M.B. No. 1660-0025  
Expires July 31, 2007**

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**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have any questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

- |   |  |
|---|--|
| <p>1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.</p> <p>2. Will give the awarding agency, the comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.</p> <p>3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal gain.</p> <p>4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.</p> <p>5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Section 4727-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).</p> <p>6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P. L. 88-352) which prohibits discrimination on the basis of race, color, or national origin; (b) Title IV of the Education Amendments of 1972, as amended (20 U.S.C. Sections 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. Sections 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912, (42 U.S.C. 290-dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Acts of 1968 (42 U.S.C. Section 3601 et. seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provision in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.</p> <p>7. Will comply, or has already complied, with the requirements of Title II and III of the Uniformed Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interest in real property acquired for project purposes regardless of Federal participation in purchase.</p> <p>8. Will comply with provisions of Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employees whose principle employment activities are funded in whole or in part with Federal funds.</p> | <p>9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Sections 276a to 276a-7) the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Sections 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333), regarding labor standards for federally assisted construction subagreements.</p> <p>10. Will comply, if applicable with flood insurance purchase requirements of Section 102a of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.</p> <p>11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988;(e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. Sections 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176 (c) of the Clear Air Act of 1955, as amended (42 U.S.C. Section et seq.); (g) protection underground sources of drinking water under Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).</p> <p>12. Will comply with the wild and Scenic Rivers Act of 1968 (16 U.S.C. Sections 1271 et seq.) related to protecting components of the national wild and scenic rivers systems.</p> <p>13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-et seq.).</p> <p>14. Will comply with P.L 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.</p> <p>15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.</p> <p>16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Sections 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.</p> <p>17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.</p> <p>18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.</p> <p>19. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.</p> |
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# Assurances for Construction Programs

20-16B

U.S DEPARTMENT OF HOMELAND SECURITY  
FEDERAL EMERGENCY MANAGEMENT AGENCY  
ASSURANCES-NONCONSTRUCTION PROGRAMS

O.M.B. No. 1660-0025  
Expires July 31, 2007

## Paperwork Burden Disclosure Notice

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**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have any questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant: **FORT BEND COUNTY, TEXAS**

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal Share of project cost) to ensure proper planning, management, and completion of the project described in this application.

2. Will give the awarding agency, the comptroller General of the United States, and if appropriate, the States, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a paper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.

4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.

5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or state.

6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict to interest, or personal gain.

8. Will comply with Intergovernmental Personnel Act of 1970 (42 U.S.C. Sections 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's standards for a Merit System of Personnel Administration (5 C.F.R. 900-subpart F).

9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Sections 4801-et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. Sections 1681-1683, and 1685-1686) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Sections 794) which prohibits discrimination on the basis of; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. Sections 6101-61-7) which prohibits discrimination on the basis of age; (e) the Drug Abuse Office Treatment Act of 1972 (P.L. 93-255), as amended, relating to non-discrimination on the bases of abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the bases of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290

ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. Sections et seq.), as amended, relating to non-discrimination in the sale, rental or financing of housing; (i) and other non-discrimination provisions in the specific statutes(s) under which application for Federal assistance is being made, and (j) the requirements on any other non-discrimination Statues(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition policies Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and Federally assisted programs. These requirements apply to all interest in real property acquired for project purpose regardless of Federal participation in purchases.

12. Will comply with the provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employment activities are funded in whole or impart with Federal funds.

13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Sections 27a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Section 874), the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333) regarding labor standards for Federally assisted construction subagreements.

14. Will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance in the total cost of insurable construction and acquisition is \$ 10,000 or more.

15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (E.O.) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management programs developed under the Coastal Zone Management Act of 1973 (16 U.S.C. Sections 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementations Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. Section 7401et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); (H) Protection of Endangered species Act of 1973, as amended, (P.L. 93-205).

16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. Sections 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 46s-1 et seq.).

18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

19. Will comply with all applicable requirements of all other Federal laws, Executive Orders, regulations and policies governing this program.

20. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.

21. It will obtain approval by the appropriate Federal agencies of the final working drawings and specifications before the project is advertised or placed on the market for bidding; that it will construct the project, or cause it to be constructed, to final completion in accordance with the application and approved plans and specifications; that it will submit to the appropriate Federal agency for prior approval changes that alter the cost of the project, use of space, or functional layout; that it will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the construction grant program(s) have been met.

22. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State, and local agencies for the maintenance and operation of such facilities.

23. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A117-1961, as modified (41CFR 101-17.703). The applicant will be responsible for conducting inspections to ensure compliance with these specifications by the contractor.

24. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the applicant, this assurance shall obligate the applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

25. In making subgrants with nonprofit institutions under this Comprehensive Cooperative Agreement, it agrees that such grants will be subject to OMB Circular A-122, "Cost Principles for Non-profit Organization" including but not limited to, the "Lobbying Revision" published in vol 49, Federal Register, pages 18260 through 18277 (April 27, 1984).

# Certificate Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements

20-16C

U.S DEPARTMENT OF HOMELAND SECURITY  
FEDERAL EMERGENCY MANAGEMENT AGENCY

O.M.B. No. 1660-0025  
Expires July 31, 2007

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Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 44 CFR Part 18, "New Restrictions on Lobbying" and 28 CFR Part 17, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Federal Emergency Management Agency (FEMA) determines to award the transaction, grant, or cooperative agreement.

### . LOBBYING

As required by section 1352, Title 31 of the U.S. Code, and implemented at 44 CFR Part 18, for persons entering into a grant or cooperating agreement over \$100,000, as defined at 44 CFR Part 18, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement.

(b) If any other funds than Federal appropriated funds have been paid or will be paid to any other person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or an employee of Congress, or employee of a member of Congress in connection with this Federal Grant or cooperative agreement, the undersigned shall complete and submit Stand Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

Standard Form-LLL "Disclosure of Lobbying Activities" attached  
(This form must be attached to certification if nonappropriated funds are to be used to influence activities.)

### 2. DEBARMENT,SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 67, for prospective participants in primary covered transactions, as defined at 44 CFR Part 17, Section 17.510-A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of a or had a civilian judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or perform a public a public (Federal ,State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and

(d) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is convicted-

Taking appropriate personnel action against such an employee, up to and including

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause of default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

### 3. DRUG-FREE WORKPLACE (GRANTEE OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 44 CFR Part 17, Subpart F, for grantees, as defined at 44 CFR Part 17.615 and 17.620-

A. The applicant certifies that it will continue to provide a drug-free workplace by;

(a) Publishing a statement notifying employees that the unlawful manufacture, distributions

(b) Establishing an on-going drug free awareness program to inform employees about-

The dangers of drug abuse in the workplace;  
The grantee's policy of maintaining a drug-free workplace;  
Any available drug counseling, rehabilitation, and employee assistance programs;  
and the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant to be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-

Abide by the term of the statement; and  
Notify the employee in writing of his or her conviction for a violation of a criminal drug statute occurring ion the workplace no later than five calendar days after such convictions;

(e) Notifying the agency, in writing, with 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position, title, to the applicable FEMA awarding office, i.e., regional office or FEMA office.

Place of Performance (Street address, City, County, State, Zip code)

301 JACKSON ST, RICHMOND TX 77469

Check  If there are workplaces on file that are not identified here.

Section 17.630 of the regulations provide that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for FEMA funding. States and State agencies may elect to use a state wide certification.

termination, consistent with the requirements of the Rehabilitation act of 1973, as amended; or

Requiring such an employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(e) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a),(b),(c),(d),(e) and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

# State of Texas Assurances

## Hazard Mitigation Grant

In addition to federal requirements, state law requires a number of assurances from applicants for federal pass-through or other state-appropriated funds. An attempt has been made below to list major state and federal assurances. Generally, not all of these assurances will be required for any one grant. However, it is the applicant's responsibility to ensure that all assurances required by the awarding agency are submitted.

**The legal instrument for awarding state funds must be consistent with the standards prescribed herein; however, these standard conditions or assurances may be incorporated into contracts or grant agreements by reference rather than by being reproduced in their entirety.**

- 1) A subgrantee must comply with Texas Government Code, Chapter 573, Vernon's 994, by ensuring that no officer, employee, or member of the applicant's governing body or of the applicant's contractor shall vote or confirm the employment of any person related within the second degree of affinity or the third degree of consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person. This prohibition shall not prohibit the employment of a person, who shall have been continuously employed for a period of two years, or such other period stipulated by local law, prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree.
- 2) A subgrantee must insure that all information collected, assembled or maintained by the applicant relative to a project will be available to the public during normal business hours in compliance with Texas Government Code, Chapter 552, Vernon's 1994, unless otherwise expressly prohibited by law.
- 3) A subgrantee must comply with Texas Government Code, Chapter 551, Vernon's 1994, which requires all regular, special or called meeting of governmental bodies to be open to the public, except as otherwise provided by law or specifically permitted in the Texas Constitution.
- 4) A subgrantee must comply with Section 231.006, Texas Family Code, which prohibits payments to a person who is in arrears on child support payments.
- 5) No health and human services agency or public safety or law enforcement agency may contract with or issue a license, certificate or permit to the owner, operator or administrator of a facility if the license, permit or certificate has been revoked by another health and human services agency or public safety or law enforcement agency.
- 6) A subgrantee that is a law enforcement agency regulated by Texas Government Code, Chapter 415, must be in compliance with all rules adopted by the Texas Commission on Law Enforcement Officer Standards and Education pursuant to Chapter 415, Texas Government Code or must provide the grantor agency with a certification from the Texas Commission on Law Enforcement Officer Standards and Education that the agency is in the process of achieving compliance with such rules.
- 7) When incorporated into a grant award or contract, standard assurances contained in the application package become terms or conditions for receipt of grant funds. Administering state agencies and local subrecipients shall maintain an appropriate contract administration system to insure that all terms, conditions, and specifications are met. (See Uniform Grant Management Standards, Part III, subpart C.36 for additional guidance on contract provisions.)
- 8) A subgrantee must comply with the Texas Family Code, Section 261.101 which requires reporting of all suspected cases of child abuse to local law enforcement authorities and to the Texas Department of Child Protective and Regulatory Services. Subgrantees shall also ensure that all program personnel are properly trained and aware of this requirement.
- 9) Intentionally omitted; This State Assurance corresponds with OMB Approved No. 0348-0042 Federal Assurance number (10)
- 10) Intentionally omitted; This State Assurance corresponds with OMB Approved No. 0348-0042 Federal Assurance number (13)
- 11) Intentionally omitted; This State Assurance corresponds with OMB Approved No. 0348-0042 Federal Assurance number (11)

- 12) Intentionally omitted; This State Assurance corresponds with OMB Approved No. 0348-0042 Federal Assurance number (12)
- 13) Subgrantees will comply with the minimum wage and maximum hour's provisions of the Federal Fair Labor Standards Act and the Intergovernmental Personnel Act of 1970, as applicable.
- 14) Subgrantees will insure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the Federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA. (EO 11738).
- 15) Subgrantees will comply with the flood insurance purchase requirements of 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234. Section 102 (a) requires the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition proposed for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards.
- 16) Intentionally omitted; This State Assurance corresponds with OMB Approved No. 0348-0042 Federal Assurances number (15).
- 17) Intentionally omitted; This State Assurance corresponds with OMB Approved No. 0348-0042 Federal Assurance number (16).
- 18) Intentionally omitted; This State Assurance corresponds with OMB Approved No. 0348-0042 Federal Assurance number (17).
- 19) Intentionally omitted; This State Assurance corresponds with OMB Approved No. 0348-0042 Federal Assurance number (11).
- 20) Intentionally omitted; This State Assurance corresponds with OMB Approved No. 0348-0042 Federal Assurance number (9).
- 21) Subgrantees will comply with Public Law 103277, also known as the Pro-Children Act of 1994 (Act), which prohibits smoking within any portion of any indoor facility used for the provision of services for children as defined by the Act.
- 22) Subgrantees will comply with all federal tax laws and are solely responsible for filing all required state and federal tax forms.
- 23) Subgrantees will comply with all applicable requirements of all other federal and state laws, executive orders, regulations and policies governing this program.
- 24) The applicant must certify that they are not debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs.
- 25) Subgrantees must adopt and implement applicable provisions of the model HIV/AIDS work place guidelines of the Texas Department of Health as required by the Texas Health and Safety Code, Ann., Sec. 85.001, et seq.

Authorized Representative: Robert Hebert Title: Honorable

Phone: 281-342-6185

Signature \_\_\_\_\_

Date: \_\_\_\_\_

01/10/2017

# Designated Contact Form

## Hazard Mitigation Grant Program

Sub-Applicant/Grantee: Fort Bend County

Date: 01/04/2017

Disaster Number: 4272

Project Number: 001

Is this an update? Yes  or No

### Primary Project Officer

### Secondary Project Officer

Name: DOUG BARNES

Name: DONALD KUNISH

Organization: EMERGENCY MANAGEMENT

Organization: TETRA TECH

Official Position: SR. PLANNING COORDINATOR

Official Position: DEPUTY DIRECTOR

Mailing Address: 307 FORT STREET

Mailing Address: 2301 LUCIEN WAY, SUITE 120

City, State, Zip: RICHMOND, TEXAS 77469

City, State, Zip: MAITLAND, FLORIDA 32751

Daytime Phone: (281) 342-6185

Daytime Phone: (407) 790-9288

Fax Number: 281-342-4798

Fax Number: (321) 441-8501

Email: DOUG.BARNES@FORTBENDCOUNTYTX.COM

Email: DONALD.KUNISH@TETRATECH.COM

### Chief Financial Officer

### Secondary Financial Contact

Name:

Name:

Organization:

Organization:

Official Position:

Official Position:

Mailing Address:

Mailing Address:

City, State, Zip:

City, State, Zip:

Daytime Phone:

Daytime Phone:

Fax Number:

Fax Number:

Email:

Email:

### 'Certifying Official' (authority to obligate funds)

### Authorized Third Party

Name: HONORABLE ROBERT HEBERT

Name: LAUREN DOZIER

Organization: FORT BEND COUNTY

Organization: TETRA TECH INC

Official Position: COUNTY JUDGE

Official Position: FINANCIAL RECOVERY SPECIALIST

Mailing Address: 301 JACKSON ST

Mailing Address: 2301 LUCIEN WAY SUITE 120

City, State, Zip: RICHMOND TEXAS 77469

City, State, Zip: MAITLAND, FL 32751

Daytime Phone: (281) 344-3994

Daytime Phone: (407) 951-0272

Fax Number:

Fax Number:

Email: JENETHA.JONES@FORTBENDCOUNTYTX.COM

Email: LAUREN.DOZIER@TETRATECH.COM

The above Primary and Secondary Project Officers are hereby authorized to execute and file the application for this mitigation project on behalf of this organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or otherwise available. Chief Financial Officer and the Certifying Official are authorized to represent and act for this organization in all financial operations pertaining to this grant with the State of Texas. The Authorized Third Party contact/s, in addition to the primary and secondary project officers, is/are also authorized in the management of this grant.

# Flood Plain Manager Form (if the project is located in floodplain/floodway)

<b>Sub-Applicant</b>	
<i>Fill in the Disaster number below for the appropriate program</i>	
HMGP Disaster Number 4272	
<b>Certified Flood Plain Manager</b>	Richard Stolleis
Organization	Fort Bend County Engineering
Official Position	Fort Bend County Engineer
Mailing Address	301 Jackson Street
City, State, Zip	Rosenberg,
Daytime Number	(281) 633-7506
Cell Number	
Fax Number	
Email	Richard.Stolleis@FortBendCountyTX.gov
CFM Certification Number	TBD
<b>Floodplain Manager's Assessment</b>	<i>Make a statement about the project's location in relationship to the floodplain/way and describe the effects of the project to the floodplain/way. Attach additional information if needed.</i>

ALL PROPERTIES ARE LOCATED IN SPECIAL FLOOD HAZARD AREA, WITHIN THE BOUNDARIES OF THE DESIGNATED SPECIAL FLOOD HAZARD AREA. PROPERTIES ARE INDICATED ON THE FLOOD INSURANCE RATE MAPS ATTACHED TO APPLICATION. PROJECT WOULD REMOVE THE PROPERTIES FROM THE DESIGNATED SFHA AND RETURN TO GREEN SPACE

The designated Floodplain Manager is authorized by the below Certifying Official to represent and act for this organization in all dealings with the State of Texas matters pertaining to floodplain issues for this grant.

Signature \_\_\_\_\_

Date: \_\_\_\_\_

01/10/2017



Fort Bend County, Texas

Hazard Mitigation Grant Program DR-4266 and DR-4269

### **Maintenance Agreement**

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The **County of Fort Bend (Sub grantee)** , State of Texas, hereby agrees that if it receives any Federal aid as a result of the attached project application, it will accept responsibility, at its own expense if necessary, for the **routine** maintenance of any real property, structures, or facilities acquired or constructed as a result of such Federal aid. Routine maintenance shall include, but not be limited to, such responsibilities as keeping vacant land clear of debris, garbage, and vermin.

The purpose of this agreement is to make clear the Sub grantee's maintenance responsibilities following project award and to show the Sub grantee's acceptance of these responsibilities. It does not replace, supersede, or add to any other maintenance responsibilities imposed by Federal law or regulation and which are in force on the date of project award.

*Signed by **Robert Hebert** the duly authorized **Honorable County Judge of Fort Bend County** this **10th day of January, 2017**.*

Printed Name: **Robert Hebert**

Signature



Date \_\_\_\_\_



Fort Bend County, Texas

Hazard Mitigation Grant Program DR-4266 and DR-4269

**Local Match Certification**

Fort Bend County understands that there is a Local Match Requirement for the Hazard Mitigation Grant Program.

Fort Bend County hereby certifies that we have the capability to meet the financial obligations of the 25 percent cost share under this Hazard Mitigation Grant Program Application. The County intends that the 25% will be borne by the participating homeowners and that they will be responsible for providing 25% of the funding necessary to complete the mitigation projects. Although not anticipated, if cost overruns occur that cannot be covered by the grant, the homeowners will provide greater than the required 25% cost share.

If additional funds are requested, we understand that an additional local match fund commitment letter is required to be submitted.

*Signed by **Robert Hebert** the duly authorized **County Judge of Fort Bend County** this **10<sup>th</sup>** day of **January, 2017**.*

Printed Name: **Robert Hebert**

Signature

Date \_\_\_\_\_



Fort Bend County, Texas

Hazard Mitigation Grant Program DR-4266 and DR-4269

### **Environmental Justice Statement**

The proposed project shall comply with Executive Order 12898, Environmental Justice and as the sub-applicant, Fort Bend County certifies that:

1. There are no known concentrations of low income or minority populations in or near the Planning area that will be negatively impacted by this project.
2. The Project is not anticipated to result in a disproportionately high or adverse effect on low income or minority populations
3. As there are no known concentrations of low income or minority populations in or near the Planning area that will be negatively impacted by this project, there will be no actions required to be taken by the County to ensure achievement of environmental justice for low income and minority populations.

*Signed by **Robert Hebert** the duly authorized **County Judge of Fort Bend County** this 10<sup>th</sup> day of January, 2017.*

Printed Name: **Robert Hebert**

Signature



Date \_\_\_\_\_



Fort Bend County, Texas

Hazard Mitigation Grant Program DR-4266 and DR-4269

**Duplication of Programs Statement**

Title 42 U.S.C. 5155 (Section 312 of the Robert T. Stafford Disaster Assistance and Emergency Relief Act, as amended), Federal Emergency Management Agency regulations (44 Code of Federal Regulations (CFR), Subpart N, and Parts 79 and 80) and FEMA Hazard Mitigation Assistance (HMA) Unified Guidance prohibit the use of Federal disaster-related funds when assistance from another source has been received, will be received or is reasonably available for the same purpose, resulting in an amount that exceeds the total need for that purpose. When this situation occurs, it is referred to as a duplication of benefits (DOB).

Fort Bend County understands that Hazard Mitigation Grant Funding cannot be used where an individual's disaster recovery or disaster mitigation needs have or will be met through other assistance. The County understands that all parties involved in an grant transaction are responsible for accurately reporting the availability or receipt of duplicative grants, loans, insurance payments, legal claims, gifts or other payments pertaining to the property being mitigated using mitigation funding funds. Reporting will occur at any point that such information becomes available.

This statement certifies that there has not been, nor will there be, a duplication of benefits for the project, and that the County will take all steps necessary to prevent this occurrence.

*Signed by \_\_\_\_\_ the duly authorized **County Judge of Fort Bend County** this 10<sup>th</sup> day of January, 2017.*

Printed Name: **Robert Hebert**

Signature

Date \_\_\_\_\_



**DESIGNATION OF APPLICANT'S AGENT  
TEXAS DIVISION OF EMERGENCY MANAGEMENT**

**FEMA Grant:**

Organization Name (hereafter named Organization)

Primary Agent		Secondary Agent	
First Name		First Name	Last Name
Organization		Organization	
Official Position		Official Position	
Mailing Address		Mailing Address	
City	State Zip	City	State Zip
Work Phone	Fax Number	Work Phone	Fax Number
E-Mail Address		E-Mail Address	
Cellular Phone		Cellular Phone	

The above Primary and Secondary Agents are hereby authorized to execute and file Application for Public Assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or otherwise available. This agent is authorized to represent and act for the Organization in all dealings with the State of Texas for all matters pertaining to such disaster assistance required by the agreements and assurances printed on the reverse side hereof.

Chief Financial Officer		Certifying Official	
First Name	Last Name	First Name	Last Name
Organization		Organization	
Official Position		Official Position	
Mailing Address		Mailing Address	
City	State Zip	City	State Zip
Work Phone	Fax Number	Work Phone	Fax Number
E-Mail Address		E-Mail Address	
Cellular Phone		Cellular Phone	

**Applicant's State Cognizant Agency for Single Audit purposes (If a Cognizant Agency is not assigned, please indicate):**

Applicant's Fiscal Year (FY) End Month   Sept.  
 Applicant's Federal Employer's Identification Number  
 Applicant's State Payee Identification Number

\_\_\_\_\_  
 Certifying Official's Signature Date